

FILED

SEP 23 2014

Cesar M. Burns JR.

Plaintiff,

Civil Rights ~~Complaint~~

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS  
ST. LOUIS OFFICE

VS.

Case No. 14 CV 1023 SMY

John Doe #1, John Doe #~~2~~<sup>4</sup>

John Doe #3 (Cahokia Police Department)

John Doe #~~2~~<sup>4</sup> (Dupo Police Department) et al.,

Defendants.

## I Jurisdiction

### Plaintiff:

A. Plaintiff's mailing address, register number, and present place of confinement.

Cesar Burns JR

Menard Correctional Center

711 Kaskaskia St., po box 1000

Menard, Illinois 62254

### Defendant #1

B. Defendant John Doe #1 is employed as a police officer with the Cahokia Police

Department. Address unknown

A. At the time the claims alleged this complaint arose, was Defendant #1 employed by the state, local or federal government? ☒ Yes

If yes elaborate:

He was working for a state Department, Cahokia City Police Department.

Defendant #2

C. Defendant John Doe #2 is employed as police officer with the Cahokia police Department. Address unknown.

At the time the claims alleged this complaint arose Defendant #2 was employed by the state government. He was working for a state Department, Cahokia City Police Department.

Defendant #3

D. Defendant John Doe #3 is employed as a police officer with the Cahokia police Department. Address unknown.

At the time the claims alleged this complaint arose Defendant #3 was employed by the state government. He was working for a state Department, Cahokia City Police Department.

Defendant #4

E.

Defendant John Doe #4 is employed as a police officer with the ~~Del~~ DuPage City Police Department. Address unknown.

At the time the claims alleged this complaint arose Defendant #4 was employed by the state government. He was working for a state Department, DuPage City Police Department.

## II. Previous Lawsuits

A. Have you begun any other lawsuits in state or federal court relating to your imprisonment, yes.

B. If your answer to "A" is yes, describe each lawsuit in the space below. If there is more than one lawsuit you must describe the additional lawsuits on another sheet or pages using the same outline.

1) Parties to previous lawsuits:

plaintiffs: Cassin Burns JR., Jamar Spruill, Reshaun Farmer, Brandon Kirkendall, Lequan Lofton

Defendants: Levi Bridges, Jack Dingler, Michael Justus, David Nichols, Carreon Reid, Rick Warren

2) Court: Southern District of Illinois

3) Docket Number: Kirkendall et al v. Justus et al 3:14-cv-0076-JPG

4) Name of Judge who was assigned the case: JPG

5) Type of case: Civil Rights action

6) Disposition of case: ongoing

7) Approximate date of filing lawsuit: 7/8/14

8) Approximate date of disposition: ongoing

III. Grievance procedure

A. Is there a prisoner grievance procedure in the institution? No

B. Did you present the facts relating to your complaint in the prisoner grievance procedure? No

C. If you answered no, explain why not.

These officers would not allow me to file a formal complaint against any department due to them wanting to hide what they did.

D. If there is no prisoner grievance procedure in the institution, did you complain to prison authorities? Yes

E. If your answer is Yes,

1) what steps did you take?

When I got to the County Jail I complained to the prison authorities / medical staff that my leg was cut open and that I was assaulted by officers and the County Jail refused to accept me.

IV. Statement of claim

A. [REDACTED] On January 29, 2013 around 2:00 a.m. in Cahokia, Illinois on Delores & Agnes, I and another individual were trespassing into an abandoned property to get out of the rain. A short time later Cahokia police officers showed

up ~~to~~ to the abortion property. At this time I and my friend are inside the back room of the house smoking a cigarette when we get approached by ~~the~~ Defendants #1 & #2 (of the Cahokia <sup>P.D.</sup> police department) screaming "get down and dont move niggers!!!!". We immediately threw our hands up & turn around. The first John Doe officer arrested my friend while John Doe #2 started screaming saying "nigger dont I just tell you to get the fuck down", and he pushed me threw the rear window of the house. When I exited the window (the one he pushed me threw) I was immediately approached by John Doe #2 who placed me in cuffs, while I was lying on my back I was hollering & screaming (because my leg had glass inside it) "my leg, something has happen to my leg". I heard John Doe #3 saying as he was walking to me, "I hate you cotten-picking ass niggers" and then he knicked me in my back twice & kicked me in the left side of my face. I then proceeded to scream "Did call hear that, how the fuck youll goe let him treat me like this and say that bullshit." John Doe #2 then tried to stand me up, and I couldnt stand, I screamed "I cant feel my leg, theres something wrong with my leg". He then drag me to the car, I was put in hollering & screaming about my leg & asking who is that officer that just kicked & knicked me, the officer in the passenger side stated "He's a Pups police officer assisting the Cahokia police Department. I asked for his name and badge number, but he refused to give it to me. I continued to complain & raise hell about my leg all the way to the Cahokia police Department where I continued to raise hell about my leg. As I was dragged out of the Cahokia P.D. car into the police Department to the booking department I was still raising hell about my leg and how it hurts and that theres no feeling in my leg, & foot I can't walk on it ect. The 3rd officer in



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Cahokia booking told me if I didn't shut my mouth it would be hell to pay & I wouldn't make a call nowhere, I then stated my legs fucked up I need to go to the hospital. At this time I'm unhand cuff to observe my injury, to break my spirit, I could literally see in my leg to the shin bone, with flesh hanging out the cut, blood in my jeans & shoes; The booking officer of Cahokia stated you do not need to go to the hospital it's an scratch, And Cahokia booking officer even stated to the paramedics he do not need to go to the hospital at all. So I was sent to the cell # unsanitized & force to sleep on the floor with my injury in pain for 2<sup>nd</sup> days, I got to make a call from booking in Cahokia P.D. where I inform my fiancée of this matter, which she is a certified L.P.N and told me I needed to be taking to the hospital for professional treatment; I then told the booking officer of Cahokia P.D. that my injury is severe & I needed professional treatment; He just sent me back to the cell. So after 2<sup>nd</sup> day I was transported to St. Clair Co. Jail by an Cahokia P.D. detective. Once arriving to St. Clair Co. Jail booking the Cahokia P.D. detective who was transporting me & other prisoners to St. Clair Co. Jail to the St. Clair Co Sheriff officer Sims burris has an injury to his left lower leg. I then was order to stand aside, where 1<sup>st</sup> prisoner help me lean on the counter, I was then told by Sheriff Sims a nurse will be to check your injury. The nurse then arrive from her station in the County Jail, put her gloves on then cut the bandage off look for an hot second & took off to the back to her office. The Sheriff Sims got a call, then stated to me (They) meaning Cahokia P.D. is going to have to come & get you & take you to the hospital or were going to let you go. And then Sheriff Sims stated "they're bogus for not getting you some type of medical treatment. Sheriff Sims called Cahokia P.D. to inform them of the news, so Cahokia P.D. sent another detective to transport me to St. Elisabeths hospital in Belleville IL. Once arriving 2<sup>nd</sup> day later, The doctors & nurses immediately start giving me tech shots & antibiotics shots & taking x-rays, To professionally find out a day later I would've lost my leg, And that it was all type of foreign bodies in my leg, And that the glass had cut my shin bone & nerves, straight through the muscle tissue, And that the glass had even broken off in my leg. And the doctors & nurses, stated (we cannot perform any -

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Surgeon because it has been over 24 hrs since the injury, and the healing process had already began with the glass & other foreign bodies inside). To do further analysis of my injury St. Elisebeths hospital calls Barnes - Jewish hospital to come & get me from St. Elisebeths hospital, for more observation & analysis to treat my injury. And then I learned from the nurses & doctors at Barnes Jewish hospital, The lost of feeling in my leg & foot would probly not come back, The pins & needles sensation in my toes & under my foot would occur regularly, And I wouldn't be able to apply direct pressure to my leg & foot, That pain would occur often for certain periods of time, And That my leg & foot would not be the same again. I was given medication & told to follow up with professional care to see if feeling & strength can be <sup>C.B</sup> restored in my leg & foot. I was then transported back to St. Clair Co. Jail by an Cahokia P.O. where I received less professional treatment, until I bonded out and seek professional care from Memorial hospital in Belleville, IL. And was told to follow up with an assign doctor for surgery & professional care but I had to take my time April 3rd 14, And have receive poor treatment every since, And at this very moment glass is still in my leg causing pinching & pokes, Along with problems & side affects. Note (I have all my medical records from Barnes Jewish hospital, St. Elisebeths hospital, & Memorial hospital)

V. REQUEST FOR RELIEF

I want \$ 600,000 in damages from the defendants.

I want the correctly surgery to repair my leg + the cost billed to the defendants

I want All cost of filing this suit, postage, copies REimburse by the defendant AS well AS physical And mental therapy cost billed by defendants

VI. Verdict Demand

The plaintiff does

DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11

Signed on: July 14<sup>th</sup> 2014

P.O. Box 1000

MENARD, IL. 62259

Cesar M. Burris Jr.

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TS-80496